

**REMARKS/ARGUMENTS**

Claim 1 has been amended to additionally recite the features of claims 2 and 11. It is respectfully submitted that NO substantive claim amendment has been made. As such, it is respectfully submitted that this amendment does NOT necessitate a new search by the Examiner.

In the Office Action, the Examiner has rejected claims 12, 14, 16, 18, 24, 26, 31 and 33 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Solely in order to expedite prosecution, these claims have been cancelled or amended. It is respectfully requested that the Examiner withdraw this rejection. The Examiner has rejected claims 1-33 under U.S.C. 35 103(a) as being unpatentable over *Wobber et al.* U.S. Patent No. 5,235,642 in view of *Robert et al.* U.S. Patent No. 4,937,863. This rejection is respectfully traversed below for at least the following reasons:

Contrary to the Examiner's assertion (Office Action, page 5, paragraph 9), it is respectfully submitted that reference No. 102-1 shown in Figure 4 of *Wobber et al.* does NOT teach this feature. It is noted that *Wobber et al.* states that a "requester can be a principal using any one of the computers in the distributed system," and "processes many layers removed from human direction, such as those in a transaction processing system, can also be principals" (*Wobber et al.*, Col. 4, 13-20). In addition, as noted by the Examiner in the Office Action (page 3, paragraph 8), it is further noted that *Wobber et al.* states that a request is authenticated using credentials. However, it is very respectfully submitted that authenticating a request does NOT teach or even remotely suggest determining whether another copy of a database program is connected.

Accordingly, it is respectfully submitted that *Wobber et al.* does NOT teach or suggest: determining whether another copy of a first database program is connected to a second database program. In addition, it is respectfully submitted that *Wobber et al.* does NOT pertain to a database program that accesses a database. Accordingly, it is respectfully submitted that *Wobber et al.* cannot be combined with another reference to teach the claimed features recited in claim 1.

Furthermore, it is respectfully submitted that *Robert et al.* does NOT teach determining whether another copy of a first database program is connected to a second database program. It is noted that *Robert et al.* states: "a license management facility maintains a license unit value for each license," and "determines whether the remaining license unit value exceeds the license usage allocation unit value associated with the use" (*Robert et al.* Col. 2, lines 8-20). However, it is respectfully submitted that the licensing management facility of *Robert et al.* does NOT teach determining whether another copy of a first database is connected to a second database program.

Moreover, it is respectfully submitted that neither *Wobber et al.* nor *Robert et al.* teach or suggest: providing network copy protection for database programs that operate on different computing platforms. In the Office Action, the Examiner seems to be taking "official notice" that providing copy network protection "is an obvious enhancement" (Office Action, page 8). The Applicant reasonably challenges the "official notice" and respectfully request that the Examiner provide factual evidence that support this assertion. As noted in the specification, conventionally, a name binding protocol is used to implement network copy protection for database programs. One problem with using specific name binding protocol is that multiple copies of the same database programs cannot be detected when used in different platforms and for different connection protocols. Furthermore, the Transmission Control Protocol (TCP) does not have a suitable name binding protocol that is readily available to provide network copy protection for database programs (Specification, page 3). Accordingly, it is very respectfully submitted that providing a network copy protection solution that works for database programs across multiple platforms would NOT have been obvious even though communication between multiple platforms may have been possible.

Still further, it is respectfully submitted that the combination of *Wobber et al.* and *Robert et al.* does NOT teach or suggest several other claimed features. These features include: sending an installation code identifier with session information and using it to determine whether it is in a list of connected quests (claim 20). It is earnestly believed that this feature has not been addressed by the Examiner in the Office Action.

As another example, claim 10 recites: sending the request as session information. Contrary to the Examiner's assertion (Office Action, page 7, paragraph 16), it is very respectfully submitted that *Robert et al.* does not teach this feature.

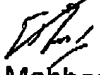
**CONCLUSION**

Based on the foregoing, it is submitted that all the claims are patentably distinct over the cited art of record. Additional limitations recited in the independent claims or the dependent claims are not further discussed because the limitations discussed above are sufficient to distinguish the claimed invention from the cited art. Accordingly, Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 500388 (Order No. CLARP029). Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP

  
R. Mahboubian  
Reg. No. 44,890

P.O. Box 70250  
Oakland, CA 94612-0250  
(650) 961-8300